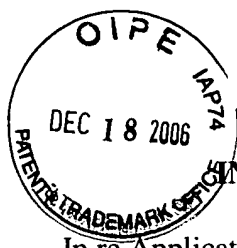


AP  
ZTW

PATENT

Attorney Docket No. 02-5976



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : James Pate  
Serial N<sup>o</sup> : 10/620,778  
Filed : July 15, 2003  
Group Art Unit : 2876  
Examiner : Nguyen, Kimberly D.  
For : METHOD AND APPARATUS FOR AUTOMATICALLY  
TRACKING AND COMMUNICATING DATA STORAGE  
DEVICE INFORMATION USING RF TAGS: OPERATING  
CONDITION, CONFIGURATION AND LOCATION

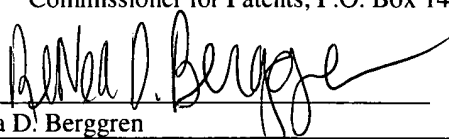
MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service on December 14, 2006, in a First Class envelope, with sufficient postage thereon, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
ReNea D. Berggren

DATED: December 14, 2006

Dear Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed November 1, 2006 finally rejecting claims 1-17 and 27-32.

The items checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of:

- ☒ other than a small entity;  
☐ small entity.

12/19/2006 MGE BREH1 00000000 122252 10620778  
01 FC:1401 500.00 DA

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(e) the fee for filing the Notice of Appeal is:

- |                                     |                           |          |
|-------------------------------------|---------------------------|----------|
| <input type="checkbox"/>            | small entity              | \$250.00 |
| <input checked="" type="checkbox"/> | other than a small entity | \$500.00 |

**Notice of Appeal fee: \$500.00**

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)-(d)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$120.00	\$60.00
<input type="checkbox"/>	two months	\$450.00	\$225.00
<input type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00

**Extension Fee: \$0.00**

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$\_\_\_\_\_

**or**

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is

Notice of Appeal fee \$ 500.00.

Extension fee (if any) \$ 0.00.

**TOTAL FEE DUE: \$ 500.00**

**5. FEE PAYMENT**

Please charge Deposit Account N<sup>o</sup> 12-2252 the sum of **\$500.00**. A duplicate of this *Transmittal* is attached for accounting purposes. If any additional extension and/or fee is required, please charge Deposit Account N<sup>o</sup> 12-2252. If any additional fee for claims is required, please charge Deposit Account N<sup>o</sup> 12-2252.

Please direct all correspondence to: **CUSTOMER NO. 24319**  
PETER SCOTT  
LEGAL DEPARTMENT - IP  
LSI LOGIC CORPORATION  
M/S D-106  
1621 BARBER LANE  
MILPITAS, CA 95035

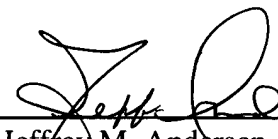
DATE: December 14, 2006.

Respectfully submitted,

James Pate,

LSI Logic Corporation,

By

  
Jeffrey M. Andersen  
Reg. N<sup>o</sup> 52,558

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(402) 496-0333 (TELECOPIER)